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NOTE VERBALE

The Permanent Mission of the Czech Republic to the United Nations, OSCE, and other International Organisations in Vienna presents its compliments to all Missions and Delegations to the OSCE in Vienna and to the Conflict Prevention Centre and, in accordance with the Decision 2/09 of the Forum for Security Co-operation, has the honour to transmit herewith the revised version of the reply of the Czech Republic to the Questionnaire on the Code of Conduct on Political-Military aspects of Security.

The Permanent Mission of the Czech Republic to the United Nations, OSCE, and other International Organisations in Vienna avails itself of this opportunity to renew to all Missions and Delegations to the OSCE and to the Conflict Prevention Centre the assurances of its highest consideration.

Vienna, April 22, 2013



To: all OSCE Delegations and Missions
the Conflict Prevention Centre

V i e n n a

**Information Exchange on the OSCE Code of Conduct
on Politico-Military Aspects of Security
Czech Republic
2012**

Revised Version

Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism

1.1 To which agreements and arrangements (universal, regional, subregional and bilateral) related to preventing and combating terrorism is your State a party?

The Czech Republic is a State Party to all five United Nations conventions on terrorism deposited with the Secretary-General and all (8) multilateral conventions deposited with other depositaries.

The Czech Republic is a State Party to the following international instruments related to the fight against terrorism:

- Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 14 September 1963);
- Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague, 16 December 1970);
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 23 September 1971);
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (New York, 14 December 1973);
- International Convention Against the Taking of Hostages (New York, 17 December 1979);
- Convention of the Physical Protection of Nuclear Materials (Vienna, 3 March 1980);
- Protocol for the Suppression of Unlawful Acts of Violence at Airport Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 24 February 1988);
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome, 1988);
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (Rome, 1988);
- Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal, 1 March 1991);
- International Convention for the Suppression of Terrorist Bombings (New York, 15 December 1997);
- International Convention for the Suppression of the Financing of Terrorism (New York, 9 December 1999);

- International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 13 April 2005).

Council of Europe

The Czech Republic is a party to the 1977 European Convention on the Suppression of Terrorism. It has actively contributed to the process of amending the Convention. In November 2007 the Czech Republic also signed the Additional protocol of the respective Convention (CETS 190).

The Council of Europe set up the Committee of Experts on Terrorism (CODEXTER) which replaced the GMT (the Multidisciplinary Group on International Action against Terrorism) in 2003 and is still active and coordinates the implementation of activities in the priority areas. This work has resulted in several international instruments and publications. One of the key conclusions is also a general agreement on strengthening cooperation and exchange of best practice in the “Bringing Terrorists to Justice” initiative – a successful prosecution and conviction of perpetrators of acts of terrorism, protection and support for victims of terrorism and protection of police officers and officials involved in the fight against terrorism.

The Czech Republic still remains outside the group of states that have successfully implemented a counter-terrorism convention CETS 196. This situation was caused by the previous absence of criminal liability of legal persons in the Czech legal system; without such liability, the Czech Republic was not able to fulfill the convention. However, the Act on Corporate Criminal Liability (418/2011 Coll.) has been adopted to complement existing criminal law. The Act entered into force on 1 January 2012 (see below) enabling the Czech Republic to take steps towards the Council of Europe Convention on the Prevention of Terrorism CETS 196.

Bilateral Agreements

Treaties of the law enforcement cooperation, which include the aspect of the fight against terrorism, and entered into force

Albania

1. Police cooperation – intergovernmental agreement, Prague 27. IV. 2009

Belgium

2. Police Cooperation – memorandum, exchange of letters between the ministers (November 1997 – February 1998);

Bulgaria

3. Intergovernmental Agreement; Date and place of signature: Brussels, 30. XI. 2009

Europol

4. Cooperation Agreement; Date and place of signature: Prague, 5. III. 2002;
5. Amendment – exchange of notes (The Hague – 13. II. 2002; Prague – 5. III. 2002).

France

6. Intergovernmental Agreement; Date and place of signature: Prague, 2. IV. 1997

Chile

7. Intergovernmental Agreement; Date and place of signature: Santiago, 23. IX. 1996

Croatia

8. Intergovernmental Agreement; Date and place of signature: Prague, 30. XI. 1999

Italy

9. Intergovernmental Agreement; Date and place of signature: Prague, 22. III. 1999

Kazakhstan

10. Intergovernmental Agreement; Date and place of signature: Almaty, 9. IV. 1998

Kyrgyzstan

11. Intergovernmental Agreement; Date and place of signature: Biskhek, 8. IV. 1998

Cyprus

12. 11. Agreement about the co-operation between MoI's; Date and place of signature: Prague, 7. XII. 1992

Lithuania

13. Agreement about the co-operation between MoI's; Date and place of signature: Vilnius, 29. III. 1996

Latvia

14. Agreement between the Government of the Czech Republic and the Government of the Republic of Latvia on Co-operation in Combating Terrorism, Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and Organised Crime; Date and place of signature: Prague, 14. XI. 2000

Hungary

15. Accord about the co-operation between MoI's; Date and place of signature: Budapest, 11. XI. 1991

16. Intergovernmental Agreement; Date and place of signature: Prague, 16. II. 1996

Macedonia (FYROM)

17. Agreement between the Government of the Czech Republic and the Government of the Republic of Macedonia on Cooperation in the Fight against Crime, Date and place of signature: Prague 9. II. 2010

Moldova

18. Agreement between the Government of the Czech Republic and the Government of the Republic of Moldova on cooperation in combating organized crime, illicit trafficking in narcotic drugs and psychotropic substances, terrorism as well as other kinds of crime, Date and place of signature: Prague 7. VIII. 2003

The Netherlands

19. MoU between MoI's; Date and place of signature: Prague, 5. X. 1993

Poland

20. Agreement about the cooperation in regard to the fight against criminal activities, protection of the public order and cooperation in the border areas, 2. VIII. 2007.

21. Agreement about the co-operation between MoI's; Date and place of signature: Prague, 5. IX. 1991

22. Protocol about the co-operation between MoI's; Date and place of signature: Warsaw, 12. IV. 1995;

23. Accord about the change of the annex to the abovementioned Protocol (12. IV. 1995).

Austria

24. Intergovernmental Agreement; 21. VI. 1988

25. Police cooperation and amendment to Second amending protocol to CoE MLA Convention – treaty, Vienna 14. VII. 2005

26. Cross-border police cooperation centre – intergovernmental agreement, Mikulov 6. IX. 2007

Romania

27. Agreement between the Czech Republic and Romania on cooperation in combating organized crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, terrorism, as well as other serious crime; Date and place of signature: Prague, 13. XI. 2001

Russian Federation

28. Agreement about the co-operation between MoI's; Date and place of signature:

Prague, 21. IV. 1997

Slovakia

29. Agreement about the co-operation and mutual assistance between MoI's; 20. XI. 1992 (with three additional protocols: Bratislava, 21. XI. 1994; Bratislava, 17. III. 1995;

Date and place of signature: Bratislava, 18. XI.1994)

30. Agreement between the Czech Republic and the Slovak Republic on cooperation in combating crime, during protection of public order and state borders protection, No.26/2005 Coll.; Date and place of signature: Bratislava 27. I. 2004

31. MoI cooperation - intergovernmental agreement, Bratislava 13. I. 2010

Slovenia

32. Agreement between the Government of the Czech Republic and the Government of the Republic of Latvia on Suppression of Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and Organised Crime and Combating Terrorism; Date and place of signature: Ljubljana, 22. V. 1998

Serbia

33. Agreement between the Government of the Czech Republic and the Government of the Republic of Serbia on Police Cooperation in the Fight against Crime, Date and place of signature: Prague 17. XII. 2010

Germany

34. Intergovernmental Agreement; Date and place of signature: Prague, 13. IX. 1991

35. Intergovernmental Agreement about the police co-operation and security co-operation in the border area; Date and place of signature: Berlin, 19. IX. 2000

36. Agreement about the co-operation between MoI of the Czech Republic and the MoI of the Free State Bavaria; Date and place of signature: Munich, 26. II. 1991 (with additional protocol – exchange of letters: 14. X. 1993 and 11. XI. 1993)

Switzerland

37. Police cooperation – treaty; Date and place of signature: Prague 31. V. 2005

Tunisia

38. 29. Agreement about the co-operation between MoI's; Prague, 10. V. 1999

Turkey

39. 30. Agreement about the co-operation between MoI's; Date and place of signature: Ankara, 17. I. 1997

Ukraine

40. Intergovernmental Agreement; Date and place of signature: Kiev, 30. VI. 1997 (with additional Protocol, Date and place of signature: Kiev, 5. XI. 1999)

Uzbekistan

41. Intergovernmental Agreement; Date and place of signature: Tashkent, 17. VI. 1998

United Kingdom

42. Intergovernmental Agreement; Date and place of signature: Prague, 23. VII. 1990

United States of America

43. Police cooperation – intergovernmental agreement, Prague 12. XI. 2008

1.2 What national legislation has been adopted in your State to implement the abovementioned agreements and arrangements?

The Czech Republic has no special anti-terrorism legislation. Terrorism related offences are covered by different sections of the Criminal Code (Act No. 40/2009). The new Criminal Code meets all requirements of the above-mentioned treaties and it also complies e.g. with the requirements of the EU Council Framework Decision 2002/475/JHA on combating terrorism. Currently, terrorism related the following provisions of the Criminal Code cover offences:

Section 310 (subversion of the Republic), Section 311 (terrorist attack), Section 312 (terror), Section 272 (public danger), Section 291 (endangering the safety of aircraft and civil vessels), Section 292 (hijacking an aircraft to a foreign country), etc. Other relevant provisions involve sabotage (Sections 314), participation in an organized criminal group (Section 361), endangering of public utilities (Section 276), taking hostages (Section 174), extortion (Section 175), unauthorized acquisition or possession of arms (Section 279), unauthorized production and possession of radioactive material and highly dangerous substances (Section 281), spreading of alarming information (Section 357), etc. The protection of witnesses and victims of criminal offences (including terrorist attacks) is covered by the Code of Criminal Procedure (Act No. 141/1961, as amended). The Czech Republic has also two special acts: Act on a special protection of witness and other persons in connection with criminal proceedings (Act No. 137/2001), and Act on a financial assistance to victims of crime.

Information on national efforts to prevent and combat terrorism, including appropriate information on legislation beyond United Nations conventions and protocols (e.g., pertaining to financing of terrorist groups): The Government of the Czech Republic approved the National Action Plan to Combat Terrorism (Government Decree No. 385 of 10 April 2002). The National Action Plan to Combat Terrorism was up-dated in 2003, in 2004, in 2005 and in 2008. In February 2010 the Government of the Czech Republic approved new Strategy on Fight against Terrorism for the years 2010 – 2012, which replaced previous National Action Plans. Its text goes along with the EU Action Plan on the Fight against Terrorism, as well as with the EU Counterterrorism Strategy.

As a general rule, international conventions may be applied directly, having precedence over domestic laws, if their provisions are capable of being applied this way (e.g. MLA provisions).

As a document of strategic importance, the Strategy to Fight Terrorism for the period 2010 to 2012 was prepared by MoI and approved by Government Resolution No. 221 of 22 March 2011. Following the Strategy, the Government of the Czech Republic approved in its Resolution No. 826 of 16 November 2010 a list of Current Priorities in the Fight Against Terrorism for the period 2010 to 2012, the contents of which determine tasks and deadlines for their fulfillment. Evaluation of these tasks will take place in 2012.

New piece of legislation - Act on Corporate Criminal Liability - has been adopted to complement existing criminal law. This Act (418/2011 Coll.) entered into force on 1 January 2012. It applies to all forms of legal persons (including churches, foundations and business companies) with the exception of the State and regional and municipal authorities. The main purpose of the Act is to implement various international treaties that require corporate liability for offences stipulated therein (such as terrorism, corruption etc.). The law enables criminal judge to impose fines and other sanctions (including dissolution) on legal persons.

1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

In the territory of the Czech Republic: the Armed Forces may assist the Police in guarding important places and institutions. The agenda of the fight against terrorism in the Czech Republic falls especially within the competence of the Ministry of Interior, the Police of the Czech Republic and the intelligence services of the Czech Republic. Certain functions and activities in this field require the co-operation of the Ministry of Defence, Ministry of Health and the Ministry of Foreign Affairs. In fact, all the ministries, many other central state

authorities, as well as regional authorities, private companies and in fact every resident, can play some role in the counterterrorism activities in the Czech Republic. The Ministry of Interior coordinates crisis management activities in response to terrorist acts and similar incidents seriously endangering critical infrastructure, civilian population and their property, and the public order. The Ministry of Foreign Affairs coordinates the government's response to emergencies abroad that could affect the Czech Republic's interests. The Police of the Czech Republic units involved in the fight against terrorism are subordinated to the Office of the Criminal Police and Investigation Service (Organised Crime Unit, General Crime Department etc.), Deputy Police President for Uniformed Police (Protection Service), Deputy Police President responsible for international co-operation (International Police Cooperation Department – Interpol Prague) and the Office of the Police President (Rapid Response Unit).

The fight against terrorism must be comprehensive, including both traditional police methods and legislative, social, technical as well as foreign policy and military measures. One of these measures was creation of the National Focal Point for Terrorism as a specialised department within the Unit for Combating Organised Crime. It is a specialised central communication, information and analytical department of the Police of the Czech Republic, dealing with relevant information on terrorism and persons suspected of being linked to terrorists or terrorist organisations. Principal goals include gathering and analysing relevant information, monitoring and evaluating the threat of terrorism, preventing and minimizing its impact and cooperating not only with various partners and institutions abroad, but also with the citizens of the Czech Republic, allowing them to effectively participate in law enforcement activities.

There are three intelligence services in the Czech Republic:

- Security Information Service

The Security Information Service is an intelligence service active within the Czech Republic. It is responsible for acquiring, collecting and evaluating information of major impact on the security of the country, protection of its constitutional setup and economic interests. As an institution, the service is strictly apolitical and does not have any repressive powers – therefore it cannot detain, arrest or interrogate.

- Office for Foreign Relations and Information

The Office for Foreign Relations and Information is an intelligence service of the Czech Republic. Its main goal, effort and mission is to provide foreign intelligence vital for the security and protection of foreign policy interests and economic policy interests of the Czech Republic. Its work comprises gathering and assessment of intelligence which is not available through standard means and activities and which meets the following criteria: 1) it is of foreign origin (though they may be acquired in the territory of the Czech Republic); 2) it relates to the issues we were tasked by the Government to pursue; 3) it is unknown to the particular customer and is usually obtained through intelligence means.

- Military Intelligence Service

Military Intelligence carries out counterintelligence and intelligence tasks within the scope and interests of the Army of the Czech Republic. This intelligence service gathers information from its own intelligence sources including bilateral and multilateral cooperation. Military Intelligence also secures intelligence protection of the Czech and allied contingents in

missions abroad.

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining *inter alia* to:

- Financing of terrorism;
- Border controls;

In April 2011, ministers of the interior discussed EC proposal for a Directive on the use of Passenger Name Record data for protection against terrorist offences and serious crime (the so-called European PNR)

- Travel document security;
- Container and supply chain security;
- Security of radioactive sources;
- Aviation security;

Czech security forces continue to focus on the issues of aviation security, especially with regard to, *inter alia*, air cargo, misusing of laser pointers to dazzle and distract pilots, gathering and sharing information on persons with links to terrorist organizations or persons who are known for their radical beliefs and who reside in the Czech Republic. There are also efforts to amend the Act No. 310/2006 Coll. on the Management of safety material, the provisions of which should regulate the sale, acquisition and possession of laser pointers. In the regulatory area we are revising all national programs dealing with aviation security.

- Use of the Internet and other information networks for terrorist purposes;

In 2011, the MoI prepared the National Cyber Security Strategy for the period 2011 to 2015 and Action Plan to outline our commitment to fight cyber terrorism. Both documents were approved by Government Resolution No. 564 of 20 July 2011. MoI has also launched internet portal dedicated to cyber security. In October 2011, however, the authority responsible for cyber security in the Czech Republic changed.

According to Government Resolution No. 278 of 19 October 2011, the National Security Authority (NSA) became the coordinator of cyber security issues in the Czech Republic. The Government has also established the Council for cyber security and approved the creation of the National Center for Cyber Security as part of the NSA.

- Legal co-operation including extradition;
- Co-operation with third countries;

The MoI also co-operates on assistance programs with third countries (countries of the former Soviet Union, the Western Balkans, South Caucasus and the Middle East) and contributes to the stability of internal political situation in these countries, thus indirectly to better security situation in the EU. This co-operation focuses on the area of education and training of police forces in the area of the fight against terrorism and organized crime.

- Safe havens and shelter to terrorists and terrorist organizations.

Intelligence services contribute to national effort as follows:

- Collect intelligence related to any plans and activities constituting a military threat to the Czech Republic;
- Collect data on foreign intelligence services in the field of defence;
- Collect intelligence on plans and activities aimed against the Czech Republic's defence;
- Collect intelligence on activities endangering classified information related to the Czech Republic's defence;
- Collect intelligence related to any plans and activities posing a terrorism and extremism threat to the Czech Republic in the field of the Defence Department authority.

2. Stationing of armed forces on foreign territory

2.1 Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

- *Legal base (international law, national law, freely negotiated agreement);*
- *Type of agreement (bilateral, multilateral);*
- *Decision-making process in case of deployment of troops;*
- *Military activity in international operations (UN/ NATO/ EU/ coalitions).*

The stationing of the Czech Armed Forces on the territory of other states is regulated by (where applicable):

- the provisions of the Agreement between the Parties to the North Atlantic Treaty regarding the status of their armed forces, done in London on June 19, 1951 and ratified by the Czech Republic in 2000;
- the provisions of the Agreement among the States Parties to the North Atlantic Treaty and the Other States participating in the Partnership for Peace regarding the status of their armed forces, and its additional protocol, done in Brussels on June 19, 1995 and ratified by the Czech Republic in 1996.

Operations abroad are a key priority of the Czech Republic/Ministry of Defence (MoD). Our contribution to operations is based on commitments stemming from membership in international organisations (NATO, EU and UN).

Strategic documents which serve as a basis for our contribution to international operations are the the Security Strategy (2011) and Defence Strategy (2012).

The Czech Republic's international operations strategy is based on sharing security interests with other member states of NATO and EU. We believe that potential security threats can be faced only on the basis of international cooperation.

Political mandate specifying Contribution of the Czech Republic to operations abroad in 2011 (and also for 2012 with outlook to 2013) was approved by the Parliament of the Czech Republic in the end of 2010.

In 2012, the Czech Republic contributed its forces primarily to operations in Afghanistan (ISAF), in the Balkans (KFOR, EUFOR ALTHEA) and the Baltic States (Baltic Air Policing). Furthermore, the Czech Republic dispatched military personnel to the EU anti-piracy mission NAVFOR ATALANTA and to the mission of the Multinational Force and Observers in Sinai. As of 1st January 2013, the total number of Czech military personnel in operations abroad was 587. We also sent military observers to the Democratic Republic of

Congo, Afghanistan and Kosovo. The Czech Republic also continued to assign units to the NATO Response Force (NRF), EU Battlegroups (EU BG) and to the UN (United Nations Stand-by Arrangements System, UNSAS) in given period. Political mandate defining contribution of the Czech Republic to operations abroad in 2013-2014 with outlook to 2015 was issued in June 2012.

3. Implementation of other international commitments related to the Code of Conduct

3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence- and security building as an element of indivisible security are implemented in good faith.

- *Doctrine, strategy, legislation and institutional measures (legally and politically binding commitments to indivisibility of security and their implementation);*
- *National practice of dealing with and countering threats and challenges to indivisibility of security;*
- *Actual contribution to the international efforts aiming at insurance of indivisibility of security (international burden sharing).*

The Czech Republic's security policy is based on the principle of the indivisibility of security. The Czech Republic's security is inseparable from security in the Euro-Atlantic area and from the global security situation. The nature of the security environment is such that the defence and protection of the state's citizens and territory does not end at the borders of the Czech Republic. Security interests often need to be defended far beyond the borders of allied states. The Czech Republic's security policy is governed not only by its own specific interests, but also by solidarity with its allies in NATO and the EU.

The Czech Republic prefers the active avoidance of armed conflicts and preventive diplomacy. If a crisis or armed conflict arises, it strives to reach a solution by political and diplomatic means. If these fail, the Czech Republic may — in accordance with its constitutional order, laws, and the principles of the UN Charter, and within the framework of its commitments to and solidarity with its allies — use force to protect its vital and, if necessary, its strategic interests.

The defence policy is an integral part of the security policy of the Czech Republic. The fundamental framework for formulation and implementation of the defence policy is given by the Constitution of the Czech Republic, the Constitutional Act No. 110/1998 on Security of the Czech Republic, as amended, and by other associated Acts. The principles of and the basis for the defence policy are specified in the Security Strategy of the Czech Republic (2011) and the Defence Strategy of the Czech Republic (2012). Furthermore, the Czech Republic formulates its defence policy on the basis of its foreign security priorities and its membership in the North Atlantic Treaty Organization (NATO), the European Union (EU), United Nations (UN) and Organization for Security and Cooperation in Europe (OSCE). The defence policy of the Czech Republic takes primarily into account fundamental NATO, EU, UN and OSCE policies.

The new Defence Strategy (2012) defines three pillars of national defence: government's responsible approach to defence, capable armed forces and national defence as civic duty. It further elaborates political-military ambitions for the development of the Armed Forces, which are the main tool of the defence policy, and specifies qualitative and quantitative criteria in this regard. Political-military ambitions have been adjusted to reflect real capabilities of the Czech Armed Forces, particularly in the area of assignment of forces and assets for international crisis management operations.

3.2 Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.

- *Specific internal regulations (institutions, guidelines and principles) in implementation of arms control, disarmament and confidence-and security-building measures;*
- *National pertinent activities and participation in the corresponding international arrangements (negotiated agreements, international workshops, deployment of troops, military exercises, international operations. Etc.);*
- *Promotion of security enhancement measures (implementation, modernization, universalization of international treaties and etc.), provision of support and assistance.*

Arms control and non-proliferation belong to one of priorities of the Czech foreign policy. It makes an effort to actively prevent armed conflicts through preventive diplomacy with emphasis on multilateral cooperation. Should a crisis or armed conflict arise, the Czech Republic seeks timely resolution by diplomatic means whenever possible.

The Czech Republic is party to the following international Treaties and Conventions in the field of arms control, disarmament, confidence and security building measures and export control regimes:

- Biological Weapons Convention;
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction
- Non-Proliferation of Nuclear Weapons
- Comprehensive Nuclear-Test-Ban Treaty
- Anti-Personnel Landmine Convention
- Convention on Cluster Munition
- Convention on Certain Conventional Weapons
- United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the Implementation of the International Instrument to Enable States to Identify and Trace in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons
- Treaty on Conventional Armed Forces in Europe
- Vienna Document
- Open Skies Treaty
- Zangger Committee
- Nuclear Suppliers Group
- Australia Group
- Missile Technology Control
- Hague Code of Conduct
- The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies

The Czech Republic in 2012 implemented all commitments stemming from all above given international agreements. Their implementation is regularly reported to the pertinent organizations. Information exchange is taking place where agreed.

In accordance with Czech law, promulgated treaties, to the ratification of which the Parliament has given its consent and by which the Czech Republic is bound, form a part of the legal order; if a treaty provides something other than that which a statute provides, the treaty

shall apply. Where necessary the provisions are implemented by special laws. In other cases the provisions are self-executing in the Czech Republic.

The Criminal Code of the Czech Republic (no. 40/2009 of the Collection of Laws) includes paragraph no. 280, called “Development, production and possession of prohibited means of combat”. This provision determines that it is a crime to develop, produce, import, export, store or accumulate weapons or means of combat prohibited by law or international treaty, or to dispose of these weapons or means of combat in any other way. This provision further determines possible punishment for such a crime – imprisonment for a term of two years up to eight years.

Law on prohibition of cluster munitions had been adopted on 21 June 2011 (no. 213/2011 of the Collection of Laws) to implement the Convention on Cluster Munitions. The Convention as well as the Law entered into force for the Czech Republic on 1 March 2012.

The Czech Republic in 2012 implemented all commitments stemming from international agreements on arms control, disarmament and confidence- and security-building measures in Europe.

The Czech Republic according to Conventional Forces in Europe Treaty:

- organized and conducted one multinational inspection abroad (with participation of four inspectors from four countries),
- organized two multinational training inspections (with participation of twenty inspectors from ten countries),
- took part in five allied inspection teams abroad;

according to Vienna Document:

- organized one evaluation visit and two inspections of specified area and received two inspections of specified area;
- took part in one visit to air base and other military facility and in show of new types of weapons;
- took part in four inspections as a part of foreign teams;
- participated as an assistant in two inspections conducted in accordance with Article IV of the Dayton Peace Agreement;

under Treaty on Open Skies:

- received one observation flights and conducted two join observation flights.

Section II: Intra-State elements

1. National planning and decision-making process

1.1 What is the national planning and decision-making process in determining / approving military posture and defence expenditures in your State?

- *The role of the executive, including the head of state and/or government, as well as key governmental security and defence advisory bodies;*
- *Institutions and procedures ensuring democratic oversight and public scrutiny;*
- *Checks and balances and chain of command in relation to democratic accountability and transparency;*
- *Relationship between defence policy and the military posture;*
- *Planning and accounting processes in the defence sector;*
- *Figures on the defence budget and expenditures;*
- *Restructuring, modernization and privatization programmes in the defence sector.*

The Government of the Czech Republic and all local and regional government bodies are responsible for safeguarding, within their respective areas of competence, the security of the population, the defence of the country's sovereignty and territorial integrity, and the preservation of the prerequisites for the democratic rule of law. A comprehensive, functioning and dynamically developing security system provides the institutional means to attain these aims.

In general, the basis for the defence planning system is laid down in national legislation. The key institutions of defence planning include the Parliament (at the supreme level), the Government and the National Security Council as the Government's working and co-ordination body. The Ministry of Defence plays a crucial role in overall management of defence planning and in co-ordination of measures ensuring the state's readiness for defence. Within the MoD, it is the Defence Policy and Strategy Division that has the lead in defence planning, being responsible for defining long-term goals and objectives. The Economic Division has overall responsibility for administration of both the medium-term planning and budgeting.

Defence planning is a set of processes designed to develop and sustain adequate military capabilities to fulfil the tasks of Czech national and collective defence and other security tasks resulting from national legislation and the Czech Republic's membership in international organizations, particularly NATO, EU, UN and OSCE. It is a consistent, policy-based and organisationally managed objective-driven activity in relation to external developments, the Czech Republic's international defence commitments, assessment of development trends in the security environment, evaluation of the achieved status and available resources. An objective-based management is applied to planning as a comprehensive management method, in which the decision-making authority is vested with goal managers. It is performed at all echelons of control in order for the resulting plan to serve as an input for follow-on processes, including budgeting and realisation of the acquisition process. A single-standard structure of objectives interconnects planning with the budget, realisation of financial operations and accounting.

The outcome of the defence planning process is a set of strategic and long- to short-term planning documents, with Long-term Vision of the Ministry of Defence (2008),

the White Paper on Defence (2011) and the Defence Strategy of the Czech Republic (2012) at the top level. Principles and goals expressed in these strategic policy documents are then operationalized at lower levels.

The White Paper on Defence (2011) reviewed the assignment for MoD development in the medium term outlook and defined basic functions and roles of the MoD plus adequate rationalising of organisational structures and performed processes. With the transition to objective-based planning, prioritisation was introduced for investments and acquisition projects as well as the implementation of a new personnel management system.

The new Defence Strategy of the Czech Republic (2012) became the key policy document for MoD development. It covers defence of the Czech Republic's homeland territory, collective defence, national defence system, intelligence, resources, defence industry, regional cooperation, comprehensive approach and defence planning. Building on the Defence Strategy, the Government endorsed new concepts: Concept of Preparing Citizens for National Defence, the Active Reserve Component Concept and Mobilisation Concept.

The OMoD No. 24/2010 instituted defence planning processes. The ensuing principal task was to draft and execute the 2013-17 Medium-term Plan, which was based on the White Paper on Defence. In order for the plan to be finalised as originally scheduled, tentative organisational measures were taken. Those measures involved an authorisation for the First Deputy Minister of Defence to control the process of developing the 2013-2017 Medium-term Plan. Verification of the system of planning processes resulted in the amendment of the original OMoD No. 24 and promulgation of the new OMoD No. 66/2012.

The new OMoD No. 66/2012 defines the key principles, ways and forms of planning, purview of elements subject to planning, basic planning documents and the process of developing and evaluating plans within the MoD. The key principles include:

- Planning is based on the application of the objective-based management method and focuses on maintaining and developing capabilities;
- Planning and budgeting processes are interlinked;
- Planning processes must ensure the transfer of lessons learnt from operational deployments, involvement in high readiness forces of international organisations the Czech Republic is member of, and from Czech Armed Forces training, including the transfer of information on certification of military units and components into the MoD capability development process;
- Planning must be interlinked with defence planning and capability development processes run by North Atlantic Treaty Organisation (NATO) and the European Union (EU);
- Interoperability with NATO and EU members states' armed forces must be ensured across the whole national and international capability development planning process with all forces and services, while the key vehicle for ensuring interoperability is defence standardisation;
- Developing national defence related plans must be harmonised with all organisations, agencies and businesses involved.

The outcome of the implemented planning process has been a harmonised and integrated system of policy and planning documents. The long-term MoD activities

and development outlook is the expression of a long-term intention concerning development, sustainment or phasing out key capabilities, which derives from the Defence Strategy of the Czech Republic. The outlook is developed for the period of 15 years and updated on quadrennial basis. The MoD Medium-term Activity and Development Plan provides a comprehensive specification for basic aspects of MoD activities and development over a 5-year planning period. The Minister's Directive is promulgated on regular basis to provide guidance on medium term planning. The MoD Medium Term Activity and Development Plan serves as the principal input for developing annual plans and budgets.

The State Budget of the Czech Republic for the fiscal year 2012 was approved by the Parliament of the Czech Republic in the Act No. 455/2011 Coll., in total amount of CZK 1 189 700 778 thousand. **The approved MoD Budget chapter for the fiscal year 2012 in total amount of CZK 43 474 131 thousand** was subsequently amended in the course of the year by several budgetary arrangements from the site of the Ministry of Finance of the Czech Republic and the actual outlays of MoD budget chapter were CZK 41 605 006,2 thousand in 2012, comparison 2012/2011 (index) is 0,94. **The military expenditures**, based on the definition of Vienna Document and in line with the UN methodology **for the fiscal year 2012** represent total amount of **CZK 41 505 009,9 thousand**.

State Budget of the Czech Republic for the year 2013 was approved by the Czech Parliament and published in the Act No. 504/2012 Coll., State Budget of the Czech Republic for the year 2013. The total amount of the State Budget expenditures is **CZK 1 180 767 603 thousand**, index 2013/2012 is 0,99. **The 2013 MoD Budget Chapter amounts to CZK 42 053 375 thousand, index 2013/2012 is 0,97. The military expenditures**, as defined by the Vienna Document based on the UN methodology, represent the amount of **CZK 41 996 094 thousand** for the fiscal year 2013.

The Budget items were divided into four categories defined in the document „Plenary Meeting of the OSCE Forum for Security Co-operation - „Review of the United Nations Instrument for Reporting Military Expenditure (Vienna, 6 July 2011 FSC.DEL/120/11)“, which modifies the reporting structure set in the document „Standardized International Military Expenditures Reporting“, issued by UN in 1980.

Total **personnel expenditures** amount to CZK 25 011 782,5 thousand, i.e. 59,56 % of the total military expenditures. The total amount of CZK 11 053 382,16 thousand, i.e. 26,32 % of the total military expenditures, **was assigned to support operational training needs of the troops including the infrastructure operation expenditures**. The total amount for **procurement and construction** represents CZK 5 548 404,94 thousand, which is 13,21 % of the total military expenditures. Out of which, CZK 3 873 771,96 thousand, i.e. 9,22 % of the total military expenditures will be used for the purchase of military equipment and the amount of CZK 1 674 632 thousand, i.e. 3,99 % of the total military expenditures, will be used for realization of construction investment projects. The dominant part of these expenditures will be used for purchase of armoured personnel carriers and lease and operation of supersonic aircrafts. CZK 382 525 thousand is allocated **for the research and development programs**, i.e. 0,91 % of military expenditures.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

- *Doctrine, strategy, national legal framework of decision-making process (security policy guidelines and procedures);*
- *Enhancement of institutional crisis management capacity, contribution to prevention of conflicts, peace-building, peace-enforcement, post-conflict stabilization and development;*
- *Adherence to pertinent international obligations, initiation or promotion of advanced global and regional security undertakings;*
- *National traditions and/or sub-regional security co-operation;*
- *Multilateral co-operation, indivisible security, international transparency, and arms control;*
- *Contribution to international peace and constabulary missions.*

The structure of the security system includes the President of the Republic, the Parliament of the Czech Republic, the Government, the State Security Council and its working bodies, central, regional and municipal authorities, the armed forces, armed security corps, intelligence services, and rescue and emergency services. As the supreme executive authority, the Government is responsible for the management and operational capability of the entire security system.

To safeguard its security interests, the Czech Republic creates and develops a comprehensive, hierarchically organised security system which is a combination of the political (domestic and foreign), military, internal security, population protection, economic, financial, legislative, legal and social levels. The primary basis of this system is to express legislatively the competence and mutual links of the individual components (legislative, executive, juridical, local and regional government, legal entities and individuals) and their links outside the security system, to establish their duties. The security system provides an institutional framework/tool for the creation and implementation of the Czech Republic's security policy.

The Czech Republic's security policy is based on the principle of the indivisibility of security and is inseparable from security in the Euro-Atlantic area and from global security. Therefore, one of the country's long-term interests is to maintain the effective role of the UN and to promote unity in the Euro-Atlantic area. The Czech Republic cannot be indifferent to the fate of other nations, countries, and regions; it is ready to contribute, within its capacities, to the international community's efforts to address security problems and mitigate their consequences.

The Czech Republic shares its security and defence interests also with other NATO member states. The Ministry of Defence is responsible for national defence and coordination of its preparation. The Czech Armed Forces plan, prepare and implement defence of their territory within the framework of NATO collective defence and in accordance with Article 5 of the Washington Treaty.

The Czech Armed Forces cooperate with foreign military forces by the authority of international agreements. Furthermore, they participate in various activities to support peace and security, especially in international operations and missions. Based on analyses of the strategic environment, the participation in international crisis response operations will present the most probable form of the Czech Armed Forces' combat employment in the near future, both inside and outside NATO/EU states. Whether gradual or simultaneous, the missions will include the following operations: peacemaking, peace support and peacekeeping, post-conflict reconstruction, stabilisation of state authorities and assistance in introducing the rule of law. The Czech Armed Forces transfer their capacities, together with those capabilities that are functionally appropriate to the character, environment and intensity of the conflict, under the authority of the designated bodies of the Alliance in such a scope as declared in the Political-

Military Ambitions of the Czech Republic, while supporting their operational activities. Similar procedures are applied in conducting operations led by the EU or an ad hoc coalition. As declared in the Political-Military Ambitions of the Czech Republic, the Czech Armed Forces contribute their forces and equipment under the authority of the designated bodies of the Alliance and support their operational activities. International operations can include assistance in evacuation of civilians, alleviating or coping with the aftermath of disasters, humanitarian operations or search and rescue operations. As a part of missions in international operations, the Czech Armed Forces can also be engaged in reshaping or building a local defence sector through mentoring and training of the local armed forces.

In today's evolving security environment of complex operations, the objectives cannot be achieved merely by military instruments. The Czech Armed Forces are able to coordinate their activities with other actors involved in responding to a crisis situation, primarily with civilian governmental and non-governmental organizations. The Czech Armed Forces have appropriate capabilities to accomplish their missions in cooperation with the above-stated actors. The complexity of operations and the variety of actors cooperating in different phases of operations necessitate a flexible and multitasking approach from the deployed elements of the Czech Armed Forces. The Czech Armed Forces initiate the cooperation with other actors, if possible, already in the planning phase of operations. Various forms of cooperation between the units of the Czech Armed Force's and a local population can become a part of missions being accomplished in crisis response international operations outside NATO and EU territories. During the period of deployment in an environment culturally distinct from that of NATO/EU, the deployed personnel shall respect its specific features.

As for international peace and constabulary missions, the Czech Republic in 2012, in addition to multinational operations abroad given above, contributed its military experts to UN missions in Afghanistan (UNAMA), Kosovo (UNMIK), DRC (MONUSCO) and Syria (UNSMISS) and civilian experts to civilian mission of EU (EUMM, EUPOL, ALTHEA, EULEX) and NATO (ISAF, KFOR).

2. Existing structures and processes

2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

- *Constitutionally established procedures for ensuring civilian control and democratic oversight;*
- *Cross-departmental co-ordination and public scrutiny beyond the State;*
- *Special information about civilian control and reforms in the police;*
- *Structure, oversight, reform, and privacy protection in relation to civilian/domestic intelligence services;*
- *Special information regarding the basis structure of the armed security sector;*
- *Special information about civilian control and reforms on paramilitary and/or internal security force;*
- *Trends towards privatization in the security sector/PMSCs.*

Military forces

The Czech Republic strictly applies the principles of civilian management and democratic control over the armed forces, as stipulated in the Constitution of the Czech Republic and other legal documents functionally distributed among the individual pillars of state authority. The division of the decision-making responsibility and authority between the civilian and military components is respected. Defence issues, including ways of using finances allocated from public sources for building national defence and also the position of the armed forces in the society, concern all the citizens. In this regard information openness on the part of the Ministry of Defence and armed forces is supported.

Intelligence services

The Act on the Intelligence Services of the Czech Republic (Act No. 153/1994), the Act on the Security Information Service (civilian counter-intelligence, Act No. 154/1994) and the Act on Military Intelligence (Act. No. 289/2005) constitute a legal framework for the activities of intelligence services in the Czech Republic. The intelligence services of the Czech Republic (namely the Office for Foreign Relations and Information, the Security Information Service, the Military Intelligence) fall within the responsibility of the Government. The Intelligence Activity Committee represents a permanent body of the National Security Council for the management, coordination and control of the intelligence activities. The intelligence services are also subject to the control of the Parliament through its Subcommittee for Intelligence Services and two permanently established commissions - the Permanent Commission for the Control of the Military Intelligence and the Permanent Commission for the Control of the Security Information Office.

The most recent Government decrees, regarding the area of the intelligence services are:

- On coordination of activities of the intelligence services of the Czech Republic routine evaluation of the information, important for the security of the Czech Republic, with special regard to the fight against terrorism (Governments Decree on 13th September 2006, No. 1060);
- On authorising of the members of the Government with a coordination and information functions toward some central state administration bodies that are not directed by member of the Government and toward Security Information Service (Governments Decree on 13th September 2006, No. 1068).

2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

- *Further procedures, institutions and best practices at the executive and legislative levels (beyond 2.1).*

Political control is exercised through the parliamentary mechanism for approving the state budget, including the defence budget. In order to investigate a matter of public concern, the Chamber of Deputies may establish an investigating commission at the request of at least one fifth of Deputies.

2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

- *National and international threat assessment/information on respective adaptations to a changing international security environment;*
- *Foreign defence vs. internal security (assistance) missions of the armed forces; including subsidiary policing and public order missions;*
- *Additional information on the status and missions of paramilitary and security forces and their respective assignment to internal security missions and/or international peace and constabulary missions;*
- *Specific information on paramilitary and/or security forces; or explanation why precisely you do not maintain such forces; or: information how you otherwise define these forces according to the tradition of your national security framework.*

Analysis of the security environment in which the Czech Republic finds itself can identify specific threats to national security. As a responsible member of international organisations, the Czech Republic also numbers among relevant security threats those which have no direct impact on its own security, but do threaten its allies:

- Terrorism;
- Proliferation of weapons of mass destruction and their means of delivery;
- Cyber attacks;
- Instability and regional conflicts in and around the Euro-Atlantic area;
- Negative aspects of international migration;
- Organised crime and corruption;
- Threats to the operation of critical infrastructure;
- Interruptions to supplies of strategic raw materials or energy;
- Disasters of natural and anthropogenic provenance and other emergencies.

Functions in Support of the Czech National and NATO Collective Defence:

The Czech Republic shares its security and defence interests with other NATO member states. The Ministry of Defence is responsible for national defence and coordination of its preparation. The Czech Armed Forces plan, prepare and implement defence of their territory within the framework of NATO collective defence and in accordance with Article 5 of the Washington Treaty.

Defence operations can be either of a high or low intensity, and may be conducted inside or outside the Czech territory at various distances from its border. High intensity operations are conducted with use of maximum military forces and equipment deployed by NATO allies, whereas low intensity operations can be carried out with a smaller amount of NATO capacities. Decisions on the character and intensity of retaliation against an armed attack on one or more allies are made by NATO member states in compliance with the Alliance's principles and procedures.

Defence can be conducted in two basic modes depending on the situation: In an armed conflict where the sovereignty and territorial integrity of the Czech Republic are endangered, while defending either its own territory or the territory of nearby allies, the state of war is declared. In terms of its organizational structure and command & control arrangements, the Ministry of Defence is transformed to a wartime organization. The Czech Republic transfers its forces and equipment earmarked in NATO defence planning under the authority of the designated bodies of the Alliance. The General Staff of the Czech Armed Forces retains the command authority over those forces which have not been moved under the allied command. The Czech Armed Forces support their own units deployed in operations while engaging in

preparatory activities for defending the Czech territory and receiving military support from NATO allies. Military bodies assume the responsibility for running air traffic control within the Czech Republic airspace.

The Czech Republic does not have to necessarily declare a state of war for the defence of a remote territory of an allied state. In such an event, forces and equipment earmarked in NATO defence planning are transferred under the authority of the designated NATO bodies. The Czech Armed Forces support their own units deployed in operations, continue in conducting activities in their peacetime establishment and implement the planned preliminary measures to prepare for elevated alert levels. Situations of low intensity threats against the Czech territory can be dealt with by the armed forces either by themselves or with NATO support.

Roles and missions of Armed Forces as defined by the Law on Armed Forces (219/1999 Coll.):

- a) To make ready and to defend the Czech Republic against external attack.
- b) To perform the tasks arising from international obligations of the Czech Republic concerning collective (self-) defence.
- c) Safeguarding of premises important for state defence.
- d) To perform the tasks of the Police (only in case the Police resources are not sufficient to reach internal order and security and only for period of necessity).
- e) To perform salvage operations during disasters or calamities or other significant situations jeopardizing lives, health, high asset values or environment or to remove the disaster effects.
- f) To remove other imminent danger by military engineering.
- g) To arrange for air transportation of state agents; medical and other air service.
- h) To ensure transportation services according to the Government resolutions.
- i) To provide for cultural, educational, sport and other social events.
- j) To perform humanitarian tasks of civil defence.

Czech Republic possesses neither Other Forces, nor paramilitary units; however there are specific units like Castle Guard and Reserve Forces.

The Castle Guard is an element of the Czech Republic Armed Forces. Its primary mission is to guard presidential residences/sites, temporary presidential residencies and to provide security to presidential guests. It organizes and co-ordinates military parades of honour, especially during visits of foreign governments' official representatives.

The training of **Reserve forces** is organized and conducted by the Regional Military Commands (Reg MCs) in compliance with the Act No. 585/2004 Coll., on National Service (Defence Act). Members of active reserve forces are organized in 23 units. The training of Infantry Troops is organized in a three-year training cycle. Each Company passes annually a one-week training, which is organized by the Reg MCs Directors. The typical tasks of active reservists in peacetime are natural disaster relief and guarding the sites important for national defence if security situation deteriorates.

3. Procedures related to different forces personnel

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

- *Information regarding reform programmes and eventual professionalization of the armed forces (if applicable) and respective legal framework related to the suspension of conscription;*
- *Additional specific information regarding compulsory national service beyond the armed forces and/or voluntary military service in non-conventional armed institutions;*
- *Policy and legislation (if applicable) on employment of civil servants and employees with civilian background in defence ministerial structures; including special provisions regarding equal job opportunities for women;*
- *Special information regarding the contracting/outsourcing of private military and security services and respective legal status of such personnel.*

In 2012, the MoD personnel management policy was based on the White Paper on Defence and the Minister's directive for planning MoD activities and development, which defined the priorities for 2012. Personnel management focused on providing highly trained and educated personnel and creating a sustainable personnel structure to fulfil the Czech Republic's political-military ambitions and deliver on assigned missions.

Based on the conclusions of the White Paper on Defence, the year 2012 saw drafted the amendment of the Act No. 221/1999 Coll., on Career Soldiers, and a bill on the service pay of career soldiers. Given the review of the Government's Legislation Plan, which occurred during 2012, the legislation process of staffing and deliberating the bills was slightly postponed. Both bills have been recently prepared for deliberations in the Government of the Czech Republic and the Parliament of the Czech Republic and their implementing regulations and MoD bylaws will be drafted in 2013.

Following the amended Act No. 221/1999 Coll. on Career Soldiers, fundamental changes in the service personnel career management will be instituted by the means of the prepared Governmental ordinance on introducing the decisive period of time for serving in systemised posts. The measure will help stabilise personnel and will enhance the provision of career management.

In line with the objective to create conditions conducive to an effective and transparent service personnel career management system from January 1, 2014, amendments were prepared in 2012 of the regulation named "The principles of development and systemisation of MoD organisational components" and the "Principles of developing systemised posts". These changes are required for the transformation of the MoD organisational structure, as a transition organisational structure will be launched in 2013 and further changes are scheduled to take place at the beginning of 2014.

In order to support the implementation of a human resource development planning and modelling system, a requirement was identified to create a relevant tool to work within the limits of authorised methodology. Projects were launched to develop a software tool for analysis and preparation of service and working posts systemisation, and a tool for human resources development planning and modelling (throughout personnel lifecycle) on short-term, medium term and long term level based on current analyses as well as historical development. Initial documents are presently in the making for human resource planning and modelling, and for the implementation of a system of standard posts with the option to interlink requirements and possibilities of the MoD with the labour market in the Czech Republic.

A new Ethical Code for officers and employees will be approved at the beginning of 2013.

The Commission for Families runs a project analysing the effects of foreign deployments on soldiers and families. The aim of the Commission is to provide assistance to families to mitigate the impact of operational deployments. The commission comprises specialists providing mediatory and expert services: personal contacts, visits, interviews, or specific practical assistance (e.g. lawyers, psychologists, economists and chaplains).

The recruitment target for 2012 was to enlist 941 new military professionals. The total of 634 persons were enlisted as a part of direct recruitment, mostly to fill junior NCO posts, others were recruited as students into military schools.

Military forces

The main effort within the Force planning process will be focused on maintaining and development the Czech Republic Armed Forces operational use and fulfilment of international and international commitments and vows of the Czech Republic, implementation of the tasks under the White Paper on Defence, sustaining the capability of CBRN, logistic, medical and veterinary support. The effort will be also focused on defence planning process of the Czech Republic Armed Forces in NATO/EU structures and last but not least on ability of receiving Allied forces and their support on the Czech Republic territory according to development of the security environment and available resources. A primary focus will be put on enhancing deployability, sustainability, optimizing command structure and enhancing participation on operations abroad. The ultimate goal of the force planning process is further development and reinforcement of current capabilities. The national force structure will continue to be modified for the potential contribution of the Czech Republic Armed Forces to a full range of operations. The Czech Republic possesses only one set of forces for use in both NATO and EU missions. A majority of these forces is declared to contribute to both NATO and EU level of ambitions.

Transition from planning/force development into capabilities based planning/force development necessary for fulfilling Armed Forces mission as a complex and also in individual organizational parts represents a fundamental change in armed force development perception.

The basic rules of the National Service Act are:

Duration of national service

The national service obligation starts on the day following the citizen's 18th birthday and terminates on the day of his/her 60th birthday. The citizen fulfils the obligation in time of national emergency or in time of war.

Voluntary national service

In time of national emergency or in time of war, a citizen who is not subject to the national service obligation, and a citizen of a nation participating in the defence systems of international organizations of which the Czech Republic is a member, can voluntarily perform his/her national service, on the basis of a written application, starting from the day following his/her 18th birthday.

Voluntary performance of the national service

In situations other than national emergency or time of war, a citizen or a soldier in mandatory reserve can voluntarily perform national service if he/she applies in writing for admission as a regular soldier.

In situations other than national emergency or time of war, a citizen or a soldier in mandatory reserve can voluntarily perform national service if he/she applies for inclusion into the active reserve. This is possible from the day following his/her 18th birthday.

The active reserve contract is concluded for the period of 3 years.

The national service terminates:

- on the effective date of the decision issued after completion of the recruitment procedure saying that the citizen is not fit for active military service,
- on the effective date of the decision issued in the revision procedure saying that the citizen is not fit for active military service,
- on the effective date of the decision which deprived the citizen or the soldier of legal capacity or limited his/her legal capacity, or
- on the day the citizen or the soldier loses citizenship of the Czech Republic.

Act 221/1999, on Regular Soldiers, governs the service of regular soldiers.

3.2 What kind of exemptions or alternatives to military service does your State have?

- *National provisions regarding exemptions from compulsory military service (if applicable);*
- *Deferral of (compulsory) military service;*
- *Criteria of exclusion and (as distinct from) exemption from military service;*
- *National provisions regarding conscientious objection and/or alternative civilian national service (if applicable);*
- *Criteria of exclusion and (as distinct from) exemption from military service;*
- *Alternative ways of serving compulsory military service (as distinct from alternative civilian service);*
- *Criteria of alternative (civilian) service;*
- *Procedures for applying for alternative service;*
- *Length of alternative service;*
- *Types of alternative service.*

Not applicable.

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

- *Rights of military and security forces personnel;*
- *Limitation and/or restrictions on rights; - 11*
- *Legal and administrative procedures protecting those rights;*
- *Establishment of policies to prevent and address cases of sexual harassment and sexual discrimination of forces personnel;*
- *Rights to submit complaints, applications, requests, petitions, remonstrance;*
- *Rights to appeal disciplinary punishments and/or measures;*
- *Ombudspersons;*
- *Appeals to courts of law;*

- *Social protection, benefits, and/or pay package;*
- *Professional working conditions and gender-sensitive environment;*
- *Special duties of armed forces personnel;*
- *Specific disciplinary issues and the duty to obey;*
- *Service personnel's representatives and/or associations and/or labour unions;*
- *Special provisions for ranks and conscripts;*
- *Establishment of ethical standards for internal conduct;*
- *Policy and reform of human resource management;*

The status of Armed Forces personnel is governed by a package of laws, brought into force in 1999. The Criminal Code of the Czech Republic does not make difference between the Armed Forces personnel and civilian population. However, in case a member of the Armed Forces breaches disciplinary rules, he is liable to disciplinary sanctions imposed by his superior. The Criminal Code of the Czech Republic also defines "Military Criminal Acts" in Section XII.

Rights of military personnel are basically the same as of other civilians, save for a few exceptions done by

- Constitutional Law 2/1993 Coll. – Charter of Fundamental Rights and Freedoms, art. 27 sais i.a. that members of the armed forces do not have the right to strike.
- Other rights are restricted by the Law on professional soldiers (221/1999 Coll.) in part III §44 -47. These involve rights of assembly and association, right to freely express religion or faith and economic rights.

The Law on professional soldiers (221/1999 Coll.) also set down the deviations from the ordinary labour law pertinent to the special nature of military service.

Military personnel may file complaints and petitions through the chain of command up to the Minister of Defence and the President. In case of serious breach of human rights a complaint may be handled directly to the Inspector General for Human Rights of the MoD. Military personnel may enjoy the protection of Civil Administrative Law including Administrative justice system the same way as other civilians. Any decision in first instance may be appealed (incl. disciplinary measures) based on the provisions of the Law 221/1999 Coll. and other laws.

The system of remunerating soldiers supports their vertical and horizontal career movements in the structure of the armed forces. This measure shall guarantee their individual as well as professional growth and also provides flexibility to react to changing needs and requirements. In line with the Czech Government's statement of policy, the Ministry of Defence strives to preserve the income level of the personnel of the Czech Armed Forces.

Soldiers who terminated their active service under exactly specified conditions are entitled for military retirement allowance. Retirement allowance serves as a motivational stimulus for joining the armed forces and encouraging individual growth and longevity of active duty. At the same time, this is an instrument to ensure an appropriate social standard after entering civilian life and an expression of social compensation for being restrained on individual rights and freedoms during their active duty.

More attention is paid to programmes that support families of those personnel who are deployed on operations outside Czech territory, develop infrastructure in military garrisons, improve working conditions at worksites, provide medical care for war veterans and military pensioners, and run recreational sport and cultural activities. A comprehensive psychological service and chaplaincy are important attributes of such care for personnel.

The soldiers are financially compensated for their duty to be stationed in locations as required by the armed forces, such as for housing and commute associated expenses if separated from their families. Upon request, the Ministry of Defence provides paid lodging to soldiers.

War veterans, especially those who were directly engaged in international military operations, risked their life in perilous locations. As an expression of gratitude and respect from society, they have been granted social and other benefits ensuring a dignified life. In addition, other entities of the public administration are involved, to a large extent, in care for war veterans.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?

- *Changing strategic environment and possible challenges to the implementation and application of IHL;*
- *Establishment of a Code of Conduct to prevent and address cases of sexual exploitation or sexual abuse of civilians by forces personnel;*
- *Collaboration with civil society in the promotion and training of IHL;*
- *Special legal advisors and experts assigned to the ministry of defence and military command;*
- *Special and refresher training, including on human and cultural rights and gender issues on violence against women, counselling in trauma situation, in - 12*
- *particular relating to sexual violence for personnel deployed in peace and constabulary missions;*
- *IHL training to non-military and non-statutory forces.*

System of military preparation in the Czech Republic consists of career training of an individual, regular daily training of individuals or units and ad-hoc training, be it specialised courses for individuals or pre-deployment training of particular units. IHL is included in the current general training programs. Moreover, outside of prescribed compulsory structure of IHL training, twice a year there is conducted an advanced IHL course for interested military and civilian personnel of the Czech Armed Forces. It is performed in cooperation with Czech Red Cross society.

In result, it is guaranteed that every individual military professional meets IHL since the very beginning of his or her career, during regular annual training, whenever he or she wants to step up in the rank chart and before any deployment to a real operation.

As a necessary complement to the training, there is an education of officers. It is especially important with respect to the fact that international humanitarian law imposes special obligations on commanders. With this regard a handbook on IHL for commanders has been issued in December 2007. In the Czech Republic, military academic education is centralized within the Defence University located in Brno. This institution provides appropriate education, including mandatory lectures of IHL to all future commanders and members of their staffs. There is a significant amount of these lectures both in Bachelor's curriculum and Master's curriculum.

Department of International Law of the Ministry of Defence is responsible for coordination of dissemination activities of IHL and human rights law within Czech armed forces.

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

- *Specific reference to individual legal liability, including as applicable to superior and subordinate personnel, and relevant provisions under international penal law;*
- *General information on international humanitarian as well as international human rights and penal law (beyond 4.1).*

Accountability for individual actions of Czech Armed Forces personnel under national and international is incorporated into Czech laws and regulations. Czech Armed Forces personnel are periodically informed of this fact in the course of their training and preparation (see answer to 4.1).

Obligations of Czech Armed Forces personnel are stated in Art. 48 of Act on Career Soldiers No. 221/1999 Coll., as subsequently amended. In paragraph 2 letter f) of this Article a soldier is obliged, inter alia, to follow legal regulations, war and humanitarian international law, international treaties and superiors' commands during the service. Subsequent paragraph 2 of this Article allows a soldier to refuse the performance of a superior's command if a criminal offence would be committed by performing this command.

According to Art. 49 of Act on Career Soldiers No. 221/1999 Coll., as subsequently amended, commanders are responsible for familiarizing their soldiers with their duties and obligations, for ensuring that soldiers do not commit offences and for commencing a proper disciplinary or criminal action against soldiers who commit an offence.

Criminal offences related to the breach of international humanitarian law and crimes against humanity and peace are included in Chapter XIII of the Criminal Code No. 40/2009 Coll., as subsequently amended.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

- *Constitutional prescriptions and safeguards regulating (and restricting) the armed forces deployment for internal security missions;*
- *Special prescriptions regarding the protection of and proportionality of use of force against individuals and groups involved in legal public manifestations and protests;*
- *Constitutional and legal provisions protecting national minorities;*
- *Gender and cultural rights training, including in preparation of personnel deployed in peace and constabulary missions;*
- *Protection of cultural and religious rights of service personnel.*

Art. 9 of Act on Armed Forces of the Czech Republic No. 219/1999 Coll., as subsequently amended, expressly states which are tasks of the armed forces e.g. preparation for defence of the Czech Republic, tasks arising from international obligations, guarding of premises important for defence of the state etc. According to strict limitation set forth in this article, armed forces cannot perform other tasks (see also II 2.3). Moreover Art. 12 expressly states, that activity of armed forces are under control of constitutional authorities or authorities to which such control is entrusted by especial act (Art. 12), thus in case of transgression of competences it is upon civilian authorities to act accordingly. Special safeguard is placed in Art. 11 of the above-mentioned act in relation to prohibited actions of armed forces. Expressly

it is forbidden direct intervention of armed forces against participants of a strike held in protection of their rights and entitled economical and social interests of employees.

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

- *Constitutional and legal restrictions of the exercise of civil rights and fundamental freedoms by service personnel;*
- *Rights and freedoms of service personnel to participate in lawful demonstrations and other political gatherings;*
- *Constitutional provisions and legal incentives to safeguard the political neutrality of the military command and the armed forces as an institution.*

Human rights of soldiers are embodied in Human Rights Charter No. 2/1993 Coll., (which is applicable for every person under jurisdiction of the Czech Republic and is part of Czech constitutional legal order). Limits of basic rights and freedoms may be imposed only by enacted law and based on conditions set forth in Human Rights Charter. As military personnel represents a special group whose rights may be limited for fulfilling their tasks, it is Act on Armed Forces of the Czech Republic No. 219/1999 Coll., as subsequently amended, which represents such enacted law. It's Art. 4 prohibit any political activity in armed forces. Such prohibition is further specified in Art. 45 of Act on professional soldiers No. 221/1999 Coll., as subsequently amended, and it forbids members of the armed forces to be members of any political parties or movements.

4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?

- *Regular review of strategic and doctrinal documents, rules of engagement and operation plans;*
- *Provision of legal advisors on various aspects of international law.*

The process of ensuring defence of the Czech Republic complies with active legal documents, primarily the Constitution of the Czech Republic; Constitutional Act 110/1998, On Security of the Czech Republic; Act 219/1999, On the armed forces of the Czech Republic; Act 221/1999, On Professional Soldiers; Act 222/1999, On Arrangements for Defence of the Czech Republic; Act 585/2004, On Conscription and its Ensuring (Conscription Act).

Constitution of the Czech Republic No. 1/1993 Coll., as subsequently amended, is based on premise that the Czech Republic observes its obligations arising from international law (Art. 1 par. 2). This article doesn't make a difference between obligations arising from international treaties and international customs. Thus any defence policy and doctrine has to be implemented and created in accordance with ratified international treaties and applicable customs. From institutional point of view the consistency of defence policy and doctrine with international law is ensured on different levels. E.g. by existence of Board for Defence Planning and Board for coordination of foreign security policy under Security Council of State, which was established according to Art. 9 of the Constitution of the Czech Republic, Security Council of State have been created. These Boards has been established for

coordination of security issues, preparation of proposals for its provisions; or e.g. government on an ad hoc basis approves delegation and their mandate for their participation on international negotiations.

Section III: Public access and contact information

1. Public access

1.1 How is the public informed about the provisions of the Code of Conduct?

- *PR strategy;*
- *Tasks/range of activity;*
- *Contact place/contact person (answering of letters, calls, etc.);*
- *Public access to information and documents related to the armed forces;*
- *Public access to parliamentary debates;*
- *Exhibitions/shows/ demonstration of new weapons and equipment;*
- *Possibilities to visit the troops (events, open door days);*
- *Engagement in public schools;*
- *Seminaries, workshops, presentation;*
- *Press releases/press conferences and public discussions;*
- *Publications (journals, newspapers, annual reviews)/CD-ROM/TV/radio/Internet (websites);*
- *Public access to information and promotion of general awareness on the Code of Conduct beyond the politico-military establishment.*

Generally the public has access to information pertaining to the Armed Forces and its activities in ways mentioned in III/1.3 below. Specifically there are e.g. regularly issued articles related to Code on Conduct in military periodical “Czech Military Review”, which is published also in digital form on the Ministry of Defence web page: www.army.cz.

1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

- *Specific information regarding the public availability of national replies to the Questionnaire;*
- *Specific information regarding national progress made in the implementation process of the Code’s provisions;*
- *Further information regarding national initiatives to promotion of the Code of Conduct either domestically or internationally, including beyond the OSCE.*

See III/1.1

1.3 How does your State ensure public access to information related to your State’s armed forces?

- *Constitutional and legal basis safeguarding and regulating public access to (including the restriction of) information;*
- *Special provisions on secrecy and classification of security and defence related data, data protection and information security;*
- *Special provisions regulating to the protection of privacy;*
- *Institutions involved and best practices of public relations management;*
- *Debates and open hearings in parliament;*
- *Official governmental statements in parliament;*
- *Publication of the defence budget, including on procurement;*
- *Open doors days, e.g., at military garrisons;*

- *Militia army;*
- *Press releases through the department of information/public relations department;*
- *Departmental websites and multiple-used of the Internet to disseminate information;*
- *Proactive use of press and in formation offices at both the MoD and defence staff;*
- *Armed forces media centre;*
- *Military periodicals;*
- *Dissemination of information through multimedia;*
- *Joint seminars held with non-governmental, academic, and research communities;*
- *Special information regarding international transparency;*
- *Harmonization of public relations strategies with defence allies and partner countries.*

Every citizen can take advantage of The Freedom of Information Act No. 106/1999 Coll. according to which every state institute has duty to provide any information requested by any citizen.

Czech Republic ensures public access to information related to military also through public web page of the Ministry of Defence: www.army.cz.

Furthermore the MOD Media and Public Communication Department provides the public with comprehensive information on national security policy and activities of the Armed Forces.

Valuable source of information are also Ministry of Defence periodicals like A-report or Armed Forces Review.

The MoD Internal Communication Portal web service entered routine operation in 2012. All MoD personnel are able to access the portal for legal regulations, bylaws and documents relating to the course of their service (working) relationship. The portal publishes selection procedures to fill vacant posts. The portal's discussion forum enables sharing and discussing observations and experiences in relation to service (work) in the MoD Department. The forum is used as a feedback to inform decisions of MoD senior officials. A vacancy search service is being prepared for users of the portal as well as a career modelling tool within the career management system limits.

2. Contact information

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.

- *Ministry, section, as well as postal address, e-mail, and phone of contact person in charge;*
- *Additional information regarding the point of contact at the national mission to the OSCE;*
- *Additional information on how the national reply to the Questionnaire has been prepared.*

Ministry of Foreign Affairs, Security Policy Department, OSCE Unit.

Tel.: 00420 224 182 806

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Additional text pertaining to women, peace and security

In the Ministry of Defence (MoD) and the Armed Forces of the Czech Republic (ACR), the issue of equal opportunities of women and men has been coordinated by the MoD Personnel Division since 2001, or the coordinator for equal opportunities of women and men (hereinafter Coordinator). The crucial policy focusing on equal opportunities and dealing with all areas (legal prerequisites, education, analyses, research, cooperation, control) is an MoD regulation – *Order of the Minister of Defence of the Czech Republic “Promoting the Principle of Equality of Men and Women within the Ministry of Defence”* (hereinafter MoD Order).

The chapter dealing with equal opportunities of women and men is a part of the “*MoD Activity Plan*” and was elaborated in more detail in the “*MoD Organisational Units’ cross-departmental task plan*”; this chapter is also evaluated.

I. PREVENTION (*education/training/publicity*)

Training of civilian employees and service personnel within the MoD and ACR was based on the “*Specialized Regulation for Conducting Military and Professional Training for components of the Czech Armed Forces*” and “*Programme for Command and Operational Training*”. The subject of equal opportunities of men and women was incorporated in these two provisions in 2012. Within their training programme, each organisational component and military unit was presented with this topic at least once (minimum 1 hour). Heads of units/departments have cooperated with the MoD Personnel Section and/or the Coordinator very closely. Based on the above mentioned cooperation, the Coordinator organized 21 lectures with the following topics: “Equal Opportunities of Women and Men within the MoD”, “Gender – Why Women Stand Up and Men Clench Their Teeth?”, “Gender – Dealing with Negative Stereotypes and Prejudice in Thoughts, Language and Behaviour”, “Equal Opportunities of Women and Men – Statistical View” and “What Does Gender Have for Men – or Who’s Afraid of Gender”. The specific topic “Equal Opportunities of Men and Women and Gender Perspective” focused on tasks of the MoD and the Czech Armed Forces resulting from their international obligations. This topic was presented in selected military units by the permanent delegate of the ACR in the NATO Committee on Gender Perspectives (hereinafter NATO Committee). The Headquarters of the Military Police incorporated the topic “Practical Application of the Equal Treatment Principle in the Military Police” into their command and operational training programme. In cooperation with the Masaryk University in Brno, the Coordinator organised a lecture series on the “Role of Men in Promoting Women-Men Equality” for decision-making, policy-making and other specialised employees.

Gender non-discrimination has been firmly integrated in the education programme of students of the *University of Defence (UoD)*. The education is pursued within specialised subjects – Rudiments of Law, Service Legal relationship and Social Security Law, Labour Law, International Agreements and Commitments, Human Resources Management and Development, Social Policy and Labour Market, Sociological Aspects of Undesirable Social Phenomena and Ethics of Human Resource Management.

Employees of the *Military Secondary School and MoD Vocational School in Moravská Třebová* receive one-day training every year. In 2012, the topics of bullying in all its forms, including sexual harassment, mobbing, bossing, cyber-bullying, domestic violence and equal opportunities of women and men were added to the syllabus. Students are lectured on the subject from their first year – specifically within the subject “Civic Education”, the topics covering primarily: social status and roles of women and men, social standards and

values, social communication, classification of social groups, social problems and social culture.

During 2012, the *media* were constantly monitoring the issue of women in the armed forces, both at national and regional level. The monitoring section of the MoD Public Diplomacy Department (hereinafter MoD PDD) archived more than 80 pages of printed press reports and records by various media dealing with this topic.

In cooperation with People in Need (a Czech-based beneficiary society), the MoD PDD organized screening of the documentary movie “The Invisible War” (on sexually motivated violence in the US armed forces) followed by a debate on the situation of women in the ACR. This activity was presented within the film-and-debate series “You Have the Right to Know”. In the debate, the MoD was represented by the Coordinator, the ACR delegate of the NATO Committee and a Military Police lawyer.

II. PARTICIPATION

1. Decision-making positions

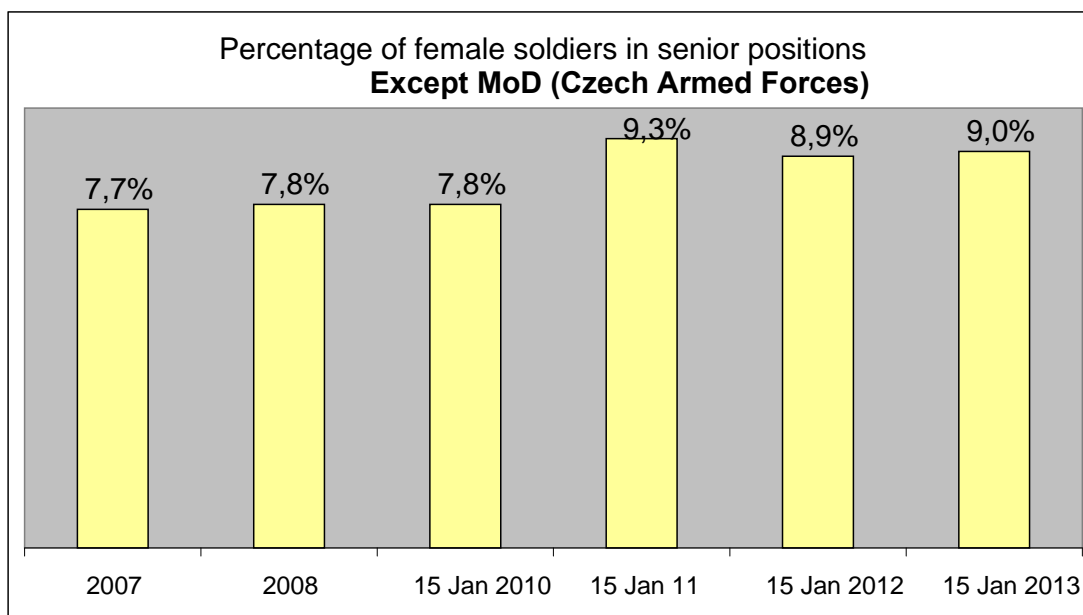
a) Percentage of women at senior positions or performing highly specialized working duties at MoD (civilian part) – over 10 year’s period (selected years) – on December 31:

Year	Deputy MoD %	Division/ Dep. Director %	Head of Section %	Other Specialized Employees %
2001	25,0	0,0	4,8	31,6
2003	16,7	1,8	10,5	52,1
2005	16,7	3,3	15,6	50,0
2006	20,0	4,6	11,5	34,8
2007	0,0	4,3	8,0	36,6
2008	0,0	3,6	7,9	36,8
2009	0,0	5,8	8,3	37,9
2010	0,0	6,9	15,8	40,5
2012	0,0	16,1	17,4	39,4

Although it is possible to adopt temporary exceptional measures aimed at eliminating possible disadvantaging in the participation of women and men in the sense of the provision as per article 3 MoD Order¹, no such measure is expected, as the number of women in these positions has been naturally increasing.

b) Percentage of female soldiers at senior systemized positions within the armed forces:

¹ “The senior employees in charge are monitoring the measures laid down with respect to equal opportunities of men and women from the conceptual, regulatory and decision-making point of view. They shall make sure every obstacle that would impede equal working conditions, especially regarding access to education, professional training, promotions and equal remuneration, is eliminated. For this purpose, they are entitled, in compliance with their scope of authority, to prescribe and implement measures (as temporary exceptional measures) in order to remove possible disadvantages in the gender ratio.”



c) Rank overview among women – selected ranks and age :

Rank		on Jan 15, 2013	Average age	on Jan 15, 2012	Average age
1	2	41	42	41	42
73	Colonel	3	45,3	4	44,0
72	Lieutenant-Colonel	47	44,1	46	43,5
71	Major	126	39,2	114	38,4
64	Captain	232	36,4	235	35,7
63	First Lieutenant	334	33,2	311	32,5
62	Lieutenant	258	31,3	255	30,6
53	Senior Warrant Officer	65	41,2	61	40,3
52	Warrant Officer	288	39,2	288	38,7
43	Master Sergeant	471	37,6	498	36,7
42	Sergeant First Class	479	35,9	484	34,9
41	Staff Sergeant	99	34,0	107	33,0
18	Sergeant	169	34,9	172	33,9
17	Corporal	161	32,9	166	32,7
12	Private First Class	76	30,9	60	31,2

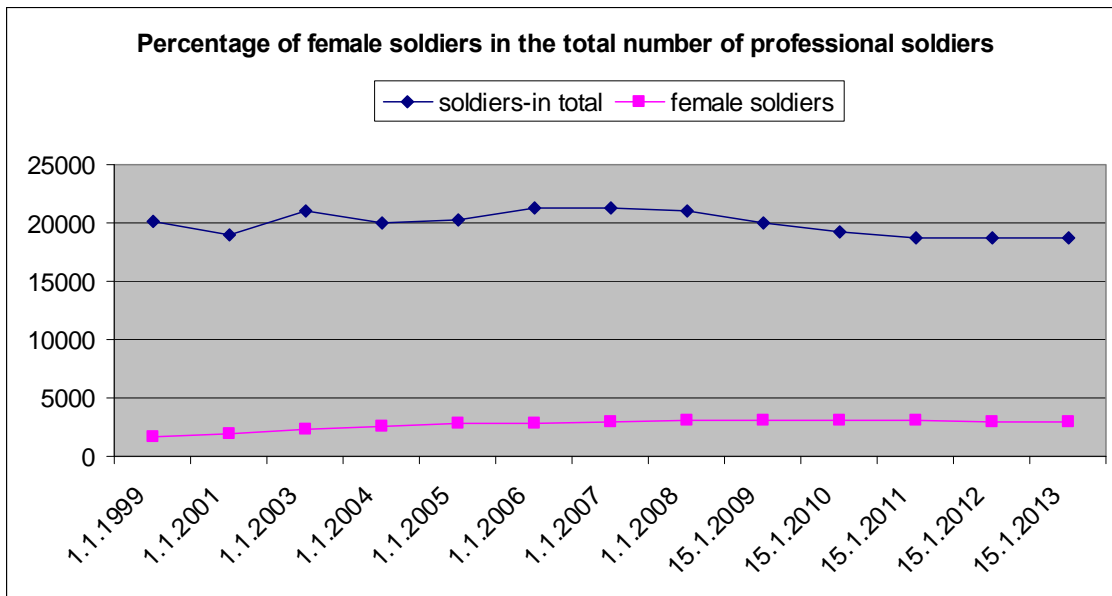
d) Introduction of a regular analysis of data on women and men

The MoD Personnel Division has been developing quantitative gender analyses on an annual basis since 2002. Their results are submitted to the Deputy Minister of Defence for Personnel. These analyses include recommendations for accepting or rejecting additional measures in order to effectively promote equal treatment of men and women.

The analysis focuses primarily on the ratio of men and women among civilian employees and service personnel, their representation at senior systemized positions and other specialised positions at the MoD and within the ACR, complying with qualification prerequisites and requirements including age structure, ratio of men and women with respect to participation in international operations under NATO, UN and OSCE command; moreover, staffing of oppositions in the NATO and EU structures, ratio of average salary of men and women among civilian employees and service personnel, recruitment of women and men, ratio of men and women at military schools and other detailed analysis.

Selected analyses results (besides those mentioned above):

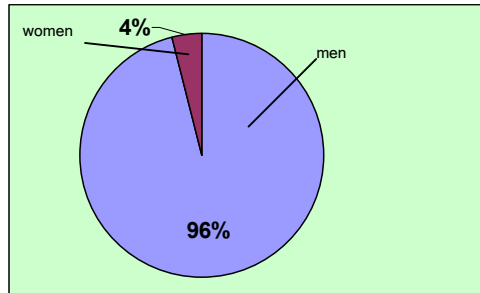
The percentage of female soldiers in the total number of professional soldiers confirms that the Czech Armed Forces are open to women in the long-term – see the following graph (data as of 15 January):



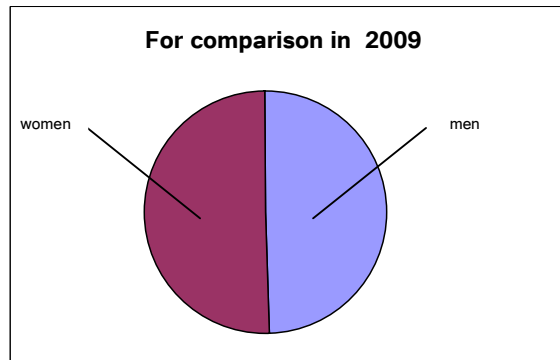
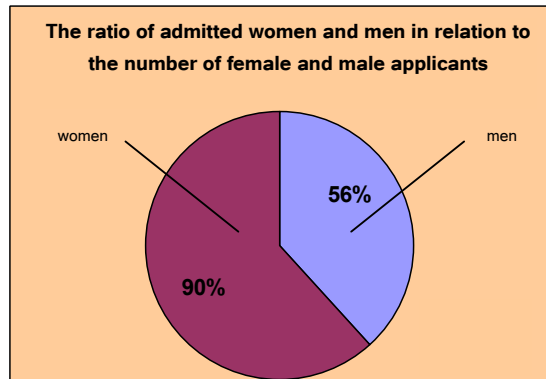
Recruitment in 2012 and success rate of women (candidates – successful candidates):

	applicant	candidate	Enlisted	
Year 2012	man	1 137	1 092	608
	woman	32	29	26
	Total	1 169	1 121	634

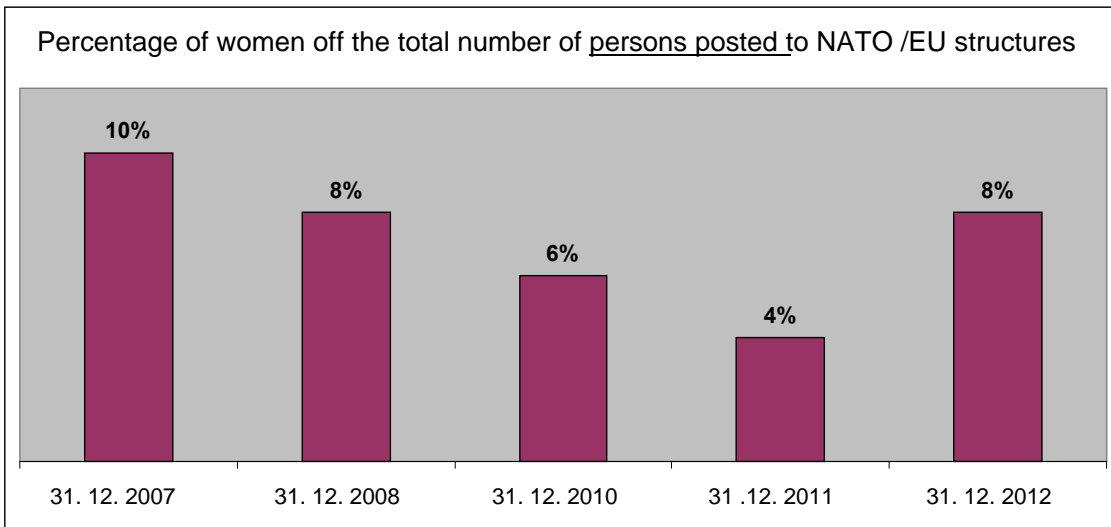
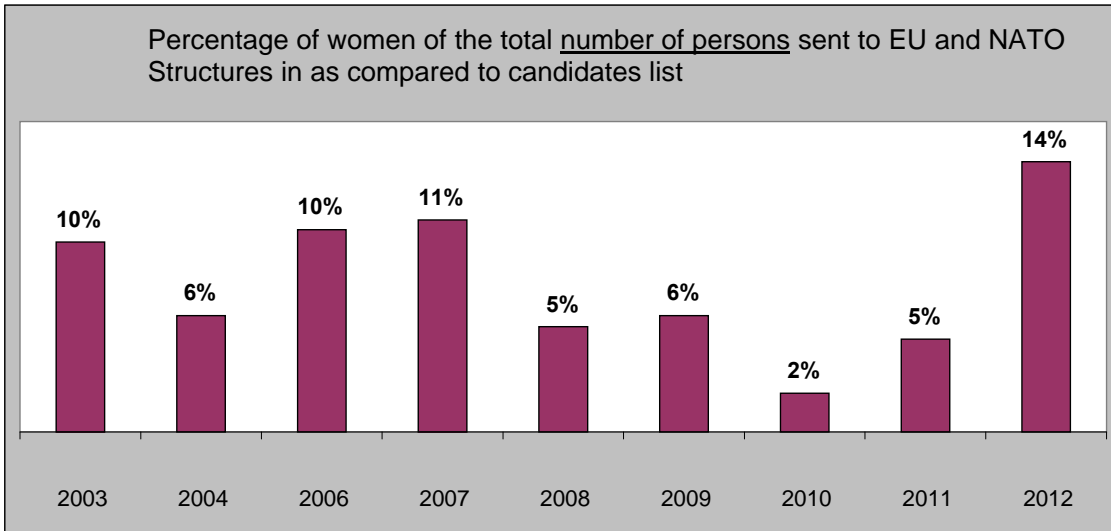
Percentage of women hired in the total number of candidates



Success rate of women in recruitment procedure

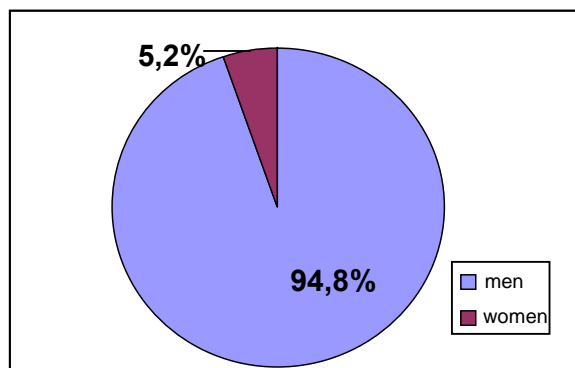


Women in NATO and EU structures (military diplomacy abroad):



2. Foreign Operations and Observer Missions

In 2012, a total number of 2,106 soldiers, 109 of them female, were deployed in foreign operations and observer missions of NATO and the EU:



The Czech Armed Forces has fulfilled the tasks mandated by the UN Security Council under international command of specific foreign operations; the participation of the Czech Armed Forces in post-conflict arrangements is limited by the mandate for each operation, while the tasks of respecting the international humanitarian rights and protection of women and girls from violence are universally valid for every foreign operation.

Female soldiers have been deployed to foreign operations mostly as members of a assigned unit and their presence over the years has always to be viewed within the operational tasks performed by the Czech Armed Forces contingents in the respective calendar year. The nature of the tasks performed by members of the Czech Armed Forces contingents has changed over time year and, similarly, the practical employment of female soldiers. This may include, for example, the need to deploy specific professions, which are, even in the Czech Republic, practiced – for various objective reasons – exclusively by male soldiers.

The Psychology Group of the Institute of Development of the Training Command – Military Academy incorporated the topics of sexual harassment, equal opportunities of women and men as well as specificity of treating women in their service tasks with other coalition partners into the *specialised training of personnel before deployment in foreign operation*. The issue of cultural differences in contact with women in countries where units and contingents are deployed is covered in a separate course within the preparation before every rotation for foreign missions.

III. PROTECTION

The body in charge of inspecting observance of human rights, and observance of equal opportunities of women and men is the Inspection of the Minister of Defence (IMoD), the Human Rights Department and the Chief Inspector for Human Rights in the IMoD. During 2012, the Department was inquiring into one filed complaint regarding equal treatment only. The complaint was evaluated as justified. The superior inspection body in charge of dealing with complaints, requests, suggestions and petitions – the Inspectorate of the Czech Armed Forces Chief of Defence (CHOD) – has not recorded any incidents with regard to non-compliance with equal opportunities or sexual harassment at workplace. Neither the police authorities of the Military Police were dealing with infringement of rights and duties based on the obligation of equal treatment or unwanted sexual behaviour during service duty/at work.

In 2012, an anonymous survey regarding sexual harassment was commenced via the MoD staff information system. The total of 777 employees and staff in a service relation (516 men and 261 women) participated in the survey. The questionnaire made it clear that sexual harassment occurs to a certain level, being more of a “female issues”; men have rarely been in explicitly annoying situations.

Women do not have a strong attitude regarding sexual harassment, as shown by the fact that 60% of women think that adequate attention is devoted to this issue. 30% of women are of the opinion that the majority of cases remain unrevealed, whereas 12% think that its seriousness is overestimated. The opinion that seriousness of sexual harassment is overestimated is significantly more frequent among men (29, 8 %).

Almost 80 % of women is determined to deal with a harassment case with the harassing colleagues directly and “immediately, so that it would not occur again”. Less than 5 % of women would consider such behaviour as “nothing to make a great fuss of”. The remaining part would search for help with family members or they would tell their colleagues or friends. A marginal number would seek help with a military psychologist or their superior. Less than 1% of women and men would lodge a complaint with the police.

IV. ADDITIONAL INFORMATION

The Armed Forces of the Czech Republic is represented in the NATO Committee. The Czech permanent delegate is involved in the NATO Committee workings throughout the year and participates in all Committee activities. The cooperation consists mainly in providing statistical data, consulting, preparation of specialized documents and sharing experience in this area.

On the initiative of the representative of the British Embassy in the Czech Republic, a meeting was held by the Ministry of Labour and Social Affairs (national coordinator of equal opportunities of women and men) with representatives of the Ministry of Defence, the Ministry of the Interior and the Ministry of Foreign Affairs. The meeting focused on the assignments of the Czech Republic arising from international obligations, in particular the UN SC Resolution 1325, on Women, Peace and Security, as well as UN SC Resolution 1820, on Sexual Violence in Armed Conflicts. The MoD was represented by the permanent delegate of the NATO Committee who was appointed chair of the working group preparing a defence action plan in compliance with the above mentioned resolutions.